



07-31-07

IAP6 Rec'd PCT/PTO 30 JUL 2007

PCT/PTO

CC

PTO/SB/21 (04-07)

Approved for use through 09/30/2007. OMB 0651-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/583,215-Conf. #7708
Filing Date	June 16, 2006
First Named Inventor	Donald Alfred Atkinson
Art Unit	N/A
Examiner Name	Not Yet Assigned
Attorney Docket Number	04465/026001

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Request for Refund	Supplemental Application Data Sheet
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> CD, Number of CD(s) _____	Part 2 Copy of Notice
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Landscape Table on CD	Declaration for Patent Application
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Remarks	Return Receipt Postcard
<input checked="" type="checkbox"/> Reply to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	OSHA LIANG LLP		
Signature			
Printed name	Jonathan P. Osha		
Date	July 30, 2007	Reg. No.	33,986

APR 06 2007



UNITED STATES PATENT AND TRADEMARK OFFICE

OSHA • LIANG LLP

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/583,215	Donald Alfred Atkinson	04465/026001
INTERNATIONAL APPLICATION NO.		
PCT/AU04/01766		
I.A. FILING DATE		PRIORITY DATE
12/16/2004		12/18/2003
CONFIRMATION NO. 7708		
371 FORMALITIES LETTER		
 OC000000023177718		

22511
 OSHA LIANG L.L.P.
 1221 MCKINNEY STREET
 SUITE 2800
 HOUSTON, TX 77010

Docketed Action:
 New Previously Non Required
 Docket Number: 04465/026001
 Attorney Initials: JPO/JPD
 Docketing Initials: ALC

Date Mailed: 04/02/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 06/16/2006
- Copy of the International Search Report filed on 06/16/2006
- Copy of IPE Report filed on 06/16/2006
- Information Disclosure Statements filed on 06/16/2006
- Oath or Declaration filed on 06/16/2006
- Request for Immediate Examination filed on 06/16/2006
- U.S. Basic National Fees filed on 06/16/2006
- Priority Documents filed on 06/16/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

JOHN L ANDERSON

Telephone: (703) 308-9140 EXT 211

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/583,215	PCT/AU04/01766	04465/026001

FORM PCT/DO/EO/905 (371 Formalities Notice)

Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2007

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT	(\$)	290.00	Attorney Docket No.	04465/026001
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Complete if Known

Application Number	10/583,215-Conf. #7708
Filing Date	June 16, 2006
First Named Inventor	Donald Alfred Atkinson
Examiner Name	Not Yet Assigned
Art Unit	N/A

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify): _____

Deposit Account Deposit Account Number: 50-0591 Deposit Account Name: Osha · Liang LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee
 Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 Credit any overpayments

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fees Paid (\$)
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 (including Reissues)

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
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Fee (\$)	Small Entity Fee (\$)
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Each independent claim over 3 (including Reissues)

50	25
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Multiple dependent claims

200	100
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360	180
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Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims
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Fee (\$)	Fee Paid (\$)
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- =	x	=	
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HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
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Fee (\$)	Fee Paid (\$)
-----------------	----------------------

- =	x	=	
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HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
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- 100 =	/50 =	(round up to a whole number) x	=	
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4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 2051 Surcharge-Late oath or declaration	65.00
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2252 Extension for response within second month	225.00
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SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	33,986	Telephone	(713) 228-8600
Name (Print/Type)	Jonathan P. Osha		Date	July 30, 2007	

Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EM 011786424 US in an envelope addressed to:

**MS Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

on July 30, 2007
Date

Ashley Dunn
Signature

Signature

Yuki Tsukuda

Typed or printed name of person signing Certificate

N/A

(713) 228-8600
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Fee Transmittal (1 page)
Supplemental Application Data Sheet (2 pages)
Declaration for Patent Application (SIGNED) (4 pages)
Part 2 Copy of Notice (2 pages)
Response to Notification of Missing Requirements (2 pages)
Two Month Request for Extension of Time Under 37 CFR 1.136(a) (2 pages)
Transmittal (1 page)
Payment by credit card. Form PTO-2038 is attached (1 page)
Charge \$290.00 to credit card
Return Receipt Postcard

Docket No.: 04465/026001
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Donald Alfred Atkinson

Application No.: 10/583,215

Filed: June 16, 2006

For: HYBRID CONSTRUCTION ELECTRIC
MACHINE

Confirmation No.: 7708

Art Unit: N/A

Examiner: Not Yet Assigned

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

22511

PATENT TRADEMARK OFFICE

MS Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification of Missing Requirements – Filing Date Granted mailed April 2, 2007, Applicant respectfully submits a Declaration for Patent Application, a Supplemental Application Data Sheet, a Petition for Extension of Time, and Part 2 Copy of Notice.

08/03/2007 LLANDGRA 00000014 10583215

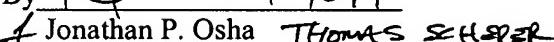
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65.00 0P

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account No. 50-0591, under Order No. 04465/026001.

Dated: July 30, 2007

Respectfully submitted,

By  #45,079
Jonathan P. Osha 
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